

REMARKS

Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

Status of Claims:

No claims are currently being cancelled.

Claims 1, 3, 7, 9, 28 and 29 are currently being amended.

No claims are currently being added.

This amendment amends claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claims remain under examination in the application, is presented, with an appropriate defined status identifier.

After amending the claims as set forth above, claims 1-4, 7-10, 28, 29 and 35-42 are now pending in this application.

Prior Art Rejections:

In the Office Action, claims 1-4, 7, 8, 10, 28, 29, 35-38, 41 and 42 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,883,621 to Iwamura in view of U.S. Patent No. 6,085,019 to Ito. This rejection is traversed with respect to the presently pending claims under rejection, for at least the reasons given below.

Each of the presently pending independent claims under rejection has been amended to explicitly recite a feature that the Office Action asserted was not recited in those claims, whereby that feature relates to the discussion made on page 2 of the Office Action. Accordingly, as recited in each of the presently pending independent claims under rejection, the video apparatus made a sole determination as to its communication partner, whereby a network management apparatus, at best, merely forwards state information to the video apparatus that was provided to it by other video apparatuses. Thus, the presently claimed invention are patentably distinct from the systems disclosed by the cited art of

record, in which a network management apparatus makes the "communication partner" decisions for the video apparatuses.

In particular, the Office Action recognizes that Iwamura fails to disclose the video apparatuses being capable of inquiring about state information of other video apparatuses by sending an inquiry to a network management apparatus and transmitting the state information relating to stored programs; however, the Office Action incorrectly asserts that Ito teaches these features. Rather, as mentioned in a reply to a previous Office Action, Ito's recording/reproducing circuit 35 makes all of the communication pair decisions for various apparatuses on a network that the recording/reproducing circuit 35 is connected to. As now explicitly recited in each of the presently pending independent claims under rejection, the video apparatus makes the sole determination as to its communication partner. Furthermore, that sole determination is made without an input by a user.

Accordingly, claims 1-4, 7, 8, 10, 28,29, 35-38, 41 and 42 are patentable over the cited art of record.

Conclusion:

Therefore, since all of the issues raised in the Office Action have been addressed in this Amendment and Reply, Applicant believes that the present application is now in condition for allowance, and an early indication of allowance is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account

No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

Date March 14, 2005

Phillip J. Articola
Phillip J. Articola
Registration No. 38,819

FOLEY & LARDNER LLP
Customer Number: 22428
Telephone: (202) 672-5300
Facsimile: (202) 672-5399